

**[DISCUSSION DRAFT]**

SEPTEMBER 15, 2003

1     **Subtitle \_\_\_\_—Alaska Natural Gas**  
2                             **Pipeline**

3     **SEC. \_\_\_\_1. SHORT TITLE.**

4             This subtitle may be cited as the “Alaska Natural  
5 Gas Pipeline Act”.

6     **SEC. \_\_\_\_2. DEFINITIONS.**

7             In this subtitle:

8                 (1) ALASKA NATURAL GAS.—The term “Alaska  
9 natural gas” means natural gas derived from the  
10 area of the State of Alaska lying north of 64 degrees  
11 north latitude.

12                (2) ALASKA NATURAL GAS TRANSPORTATION  
13 PROJECT.—The term “Alaska natural gas transpor-  
14 tation project” means any natural gas pipeline sys-  
15 tem that carries Alaska natural gas to the border  
16 between Alaska and Canada (including related facili-  
17 ties subject to the jurisdiction of the Commission)  
18 that is authorized under—

19                     (A) the Alaska Natural Gas Transpor-  
20 tation Act of 1976 (15 U.S.C. 719 et seq.); or

21                     (B) section \_\_\_\_3.

22                (3) ALASKA NATURAL GAS TRANSPORTATION  
23 SYSTEM.—The term “Alaska natural gas transpor-

1       tation system” means the Alaska natural gas trans-  
2       portation project authorized under the Alaska Nat-  
3       ural Gas Transportation Act of 1976 (15 U.S.C.  
4       719 et seq.) and designated and described in section  
5       2 of the President’s decision.

6           (4) COMMISSION.—The term “Commission”  
7       means the Federal Energy Regulatory Commission.

8           (5) FEDERAL COORDINATOR.—The term “Fed-  
9       eral Coordinator” means the head of the Office of  
10      the Federal Coordinator for Alaska Natural Gas  
11      Transportation Projects established by section  
12      \_\_\_\_ 6(a).

13          (6) PRESIDENT’S DECISION.—The term “Presi-  
14      dent’s decision” means the decision and report to  
15      Congress on the Alaska natural gas transportation  
16      system—

17           (A) issued by the President on September  
18           22, 1977, in accordance with section 7 of the  
19           Alaska Natural Gas Transportation Act of  
20           1976 (15 U.S.C. 719e); and

21           (B) approved by Public Law 95–158 (15  
22           U.S.C. 719f note; 91 Stat. 1268).

23          (7) SECRETARY.—The term “Secretary” means  
24      the Secretary of Energy.

1           (8) STATE.—The term “State” means the State  
2       of Alaska.

3   **SEC. \_\_\_\_ 3. ISSUANCE OF CERTIFICATE OF PUBLIC CON-**  
4                           **VENIENCE AND NECESSITY.**

5       (a) AUTHORITY OF THE COMMISSION.—Notwith-  
6       standing the Alaska Natural Gas Transportation Act of  
7       1976 (15 U.S.C. 719 et seq.), the Commission may, in  
8       accordance with section 7(c) of the Natural Gas Act (15  
9       U.S.C. 717f(c)), consider and act on an application for  
10      the issuance of a certificate of public convenience and ne-  
11      cessity authorizing the construction and operation of an  
12      Alaska natural gas transportation project other than the  
13      Alaska natural gas transportation system.

14      (b) ISSUANCE OF CERTIFICATE.—

15           (1) IN GENERAL.—The Commission shall issue  
16      a certificate of public convenience and necessity au-  
17      thorizing the construction and operation of an Alas-  
18      ka natural gas transportation project under this sec-  
19      tion if the applicant has satisfied the requirements  
20      of section 7(e) of the Natural Gas Act (15 U.S.C.  
21      717f(e)).

22           (2) CONSIDERATIONS.—In considering an appli-  
23      cation under this section, the Commission shall pre-  
24      sume that—

1 (A) a public need exists to construct and  
2 operate the proposed Alaska natural gas trans-  
3 portation project; and

4 (B) sufficient downstream capacity will  
5 exist to transport the Alaska natural gas mov-  
6 ing through the project to markets in the con-  
7 tiguous United States.

8 (c) EXPEDITED APPROVAL PROCESS.—Not later  
9 than 60 days after the date of issuance of the final envi-  
10 ronmental impact statement under section \_\_\_\_4 for an  
11 Alaska natural gas transportation project, the Commission  
12 shall issue a final order granting or denying any applica-  
13 tion for a certificate of public convenience and necessity  
14 for the project under section 7(c) of the Natural Gas Act  
15 (15 U.S.C. 717f(c)) and this section.

16 (d) PROHIBITION OF CERTAIN PIPELINE ROUTE.—  
17 No license, permit, lease, right-of-way, authorization, or  
18 other approval required under Federal law for the con-  
19 struction of any pipeline to transport natural gas from  
20 land within the Prudhoe Bay oil and gas lease area may  
21 be granted for any pipeline that follows a route that—

22 (1) traverses land beneath navigable waters (as  
23 defined in section 2 of the Submerged Lands Act  
24 (43 U.S.C. 1301)) beneath, or the adjacent shoreline  
25 of, the Beaufort Sea; and

1 (2) enters Canada at any point north of 68 de-  
2 grees north latitude.

3 (e) OPEN SEASON.—

4 (1) IN GENERAL.—Not later than 120 days  
5 after the date of enactment of this Act, the Commis-  
6 sion shall promulgate regulations governing the con-  
7 duct of open seasons for Alaska natural gas trans-  
8 portation projects (including procedures for the allo-  
9 cation of capacity).

10 (2) REQUIREMENTS.—The regulations referred  
11 to in paragraph (1) shall—

12 (A) include the criteria for and timing of  
13 any open seasons;

14 (B) promote competition in the explo-  
15 ration, development, and production of Alaska  
16 natural gas; and

17 (C) for any open season for capacity ex-  
18 ceeding the initial capacity, provide the oppor-  
19 tunity for the transportation of natural gas  
20 other than from the Prudhoe Bay and Point  
21 Thompson units.

22 (3) APPLICABILITY.—Except in a case in which  
23 an expansion is ordered in accordance with section  
24 \_\_\_\_5, initial or expansion capacity on any Alaska  
25 natural gas transportation project shall be allocated

1 in accordance with procedures to be established by  
2 the Commission in regulations promulgated under  
3 paragraph (1).

4 (f) PROJECTS IN THE CONTIGUOUS UNITED  
5 STATES.—

6 (1) IN GENERAL.—An application for additional  
7 or expanded pipeline facilities that may be required  
8 to transport Alaska natural gas from Canada to  
9 markets in the contiguous United States may be  
10 made in accordance with the Natural Gas Act (15  
11 U.S.C. 717a et seq.).

12 (2) EXPANSION.—To the extent that a pipeline  
13 facility described in paragraph (1) includes the ex-  
14 pansion of any facility constructed in accordance  
15 with the Alaska Natural Gas Transportation Act of  
16 1976 (15 U.S.C. 719 et seq.), that Act shall con-  
17 tinue to apply.

18 (g) STUDY OF IN-STATE NEEDS.—The holder of the  
19 certificate of public convenience and necessity issued,  
20 modified, or amended by the Commission for an Alaska  
21 natural gas transportation project shall demonstrate that  
22 the holder has conducted a study of Alaska in-State needs,  
23 including tie-in points along the Alaska natural gas trans-  
24 portation project for in-State access.

25 (h) ALASKA ROYALTY GAS.—

1           (1) IN GENERAL.—Except as provided in para-  
2       graph (2), the Commission, on a request by the  
3       State and after a hearing, may provide for reason-  
4       able access to the Alaska natural gas transportation  
5       project by the State (or State designee) for the  
6       transportation of royalty gas of the State for the  
7       purpose of meeting local consumption needs within  
8       the State.

9           (2) EXCEPTION.—The rates of shippers of sub-  
10      scribed capacity on an Alaska natural gas transpor-  
11      tation project described in paragraph (1), as in ef-  
12      fect as of the date on which access under that para-  
13      graph is granted, shall not be increased as a result  
14      of such access.

15      (i) REGULATIONS.—The Commission may promul-  
16      gate such regulations as are necessary to carry out this  
17      section.

18   **SEC. \_\_\_\_ 4. ENVIRONMENTAL REVIEWS.**

19      (a) COMPLIANCE WITH NEPA.—The issuance of a  
20      certificate of public convenience and necessity authorizing  
21      the construction and operation of any Alaska natural gas  
22      transportation project under section \_\_\_\_ 3 shall be treat-  
23      ed as a major Federal action significantly affecting the  
24      quality of the human environment within the meaning of

1 section 102(2)(C) of the National Environmental Policy  
2 Act of 1969 (42 U.S.C. 4332(2)(C)).

3 (b) DESIGNATION OF LEAD AGENCY.—

4 (1) IN GENERAL.—The Commission—

5 (A) shall be the lead agency for purposes  
6 of complying with the National Environmental  
7 Policy Act of 1969 (42 U.S.C. 4321 et seq.);  
8 and

9 (B) shall be responsible for preparing the  
10 environmental impact statement required by  
11 section 102(2)(c) of that Act (42 U.S.C.  
12 4332(2)(c)) with respect to an Alaska natural  
13 gas transportation project.

14 (2) CONSOLIDATION OF STATEMENTS.—In car-  
15 rying out paragraph (1), the Commission shall pre-  
16 pare a single environmental impact statement, which  
17 shall consolidate the environmental reviews of all  
18 Federal agencies considering any aspect of the Alas-  
19 ka natural gas transportation project covered by the  
20 environmental impact statement.

21 (c) OTHER AGENCIES.—

22 (1) IN GENERAL.—Each Federal agency consid-  
23 ering an aspect of the construction and operation of  
24 an Alaska natural gas transportation project shall—

25 (A) cooperate with the Commission; and



1 (B) comply with deadlines established by  
2 the Commission in the preparation of the envi-  
3 ronmental impact statement under this section.

4 (2) SATISFACTION OF NEPA REQUIREMENTS.—

5 The environmental impact statement prepared under  
6 this section shall be used by each Federal agency de-  
7 scribed in paragraph (1) in satisfaction of the re-  
8 sponsibilities of the Federal agency under section  
9 102(2)(C) of the National Environmental Policy Act  
10 of 1969 (42 U.S.C. 4332(2)(C)) with respect to the  
11 Alaska natural gas transportation project covered by  
12 the environmental impact statement.

13 (d) EXPEDITED PROCESS.—The Commission shall—

14 (1) not later than 1 year after the Commission  
15 determines that the application under section \_\_\_\_3  
16 with respect to an Alaska natural gas transportation  
17 project is complete, issue a draft environmental im-  
18 pact statement under this section; and

19 (2) not later than 180 days after the date of  
20 issuance of the draft environmental impact state-  
21 ment, issue a final environmental impact statement,  
22 unless the Commission for good cause determines  
23 that additional time is needed.

1   **SEC. \_\_\_\_ 5. PIPELINE EXPANSION.**

2           (a) **AUTHORITY.**—With respect to any Alaska natural  
3 gas transportation project, on a request by 1 or more per-  
4 sons and after giving notice and an opportunity for a hear-  
5 ing, the Commission may order the expansion of the Alas-  
6 ka natural gas project if the Commission determines that  
7 such an expansion is required by the present and future  
8 public convenience and necessity.

9           (b) **RESPONSIBILITIES OF COMMISSION.**—Before or-  
10 dering an expansion under subsection (a), the Commission  
11 shall—

12               (1) approve or establish rates for the expansion  
13 service that are designed to ensure the recovery, on  
14 an incremental or rolled-in basis, of the cost associ-  
15 ated with the expansion (including a reasonable rate  
16 of return on investment);

17               (2) ensure that the rates do not require existing  
18 shippers on the Alaska natural gas transportation  
19 project to subsidize expansion shippers;

20               (3) find that a proposed shipper will comply  
21 with, and the proposed expansion and the expansion  
22 of service will be undertaken and implemented based  
23 on, terms and conditions consistent with the tariff of  
24 the Alaska natural gas transportation project in ef-  
25 fect as of the date of the expansion;

1           (4) find that the proposed facilities will not ad-  
2           versely affect the financial or economic viability of  
3           the Alaska natural gas transportation project;

4           (5) find that the proposed facilities will not ad-  
5           versely affect the overall operations of the Alaska  
6           natural gas transportation project;

7           (6) find that the proposed facilities will not di-  
8           minish the contract rights of existing shippers to  
9           previously subscribed certificated capacity;

10          (7) ensure that all necessary environmental re-  
11          views have been completed; and

12          (8) find that adequate downstream facilities  
13          exist or are expected to exist to deliver incremental  
14          Alaska natural gas to market.

15          (c) REQUIREMENT FOR A FIRM TRANSPORTATION  
16          AGREEMENT.—Any order of the Commission issued in ac-  
17          cordance with this section shall be void unless the person  
18          requesting the order executes a firm transportation agree-  
19          ment with the Alaska natural gas transportation project  
20          within such reasonable period of time as the order may  
21          specify.

22          (d) LIMITATION.—Nothing in this section expands or  
23          otherwise affects any authority of the Commission with  
24          respect to any natural gas pipeline located outside the  
25          State.

1 (e) REGULATIONS.—The Commission may promul-  
2 gate such regulations as are necessary to carry out this  
3 section.

4 **SEC. \_\_\_\_6. FEDERAL COORDINATOR.**

5 (a) ESTABLISHMENT.—There is established, as an  
6 independent office in the executive branch, the Office of  
7 the Federal Coordinator for Alaska Natural Gas Trans-  
8 portation Projects.

9 (b) FEDERAL COORDINATOR.—

10 (1) APPOINTMENT.—The Office shall be headed  
11 by a Federal Coordinator for Alaska Natural Gas  
12 Transportation Projects, who shall be appointed by  
13 the President, by and with the advice and consent  
14 of the Senate.

15 (2) COMPENSATION.—The Federal Coordinator  
16 shall be compensated at the rate prescribed for level  
17 III of the Executive Schedule (5 U.S.C. 5314).

18 (c) DUTIES.—The Federal Coordinator shall be re-  
19 sponsible for—

20 (1) coordinating the expeditious discharge of all  
21 activities by Federal agencies with respect to an  
22 Alaska natural gas transportation project; and

23 (2) ensuring the compliance of Federal agencies  
24 with the provisions of this subtitle.

1 (d) REVIEWS AND ACTIONS OF OTHER FEDERAL  
2 AGENCIES.—

3 (1) EXPEDITED REVIEWS AND ACTIONS.—All  
4 reviews conducted and actions taken by any Federal  
5 agency relating to an Alaska natural gas transpor-  
6 tation project authorized under this section shall be  
7 expedited, in a manner consistent with completion of  
8 the necessary reviews and approvals by the deadlines  
9 under this subtitle.

10 (2) PROHIBITION OF CERTAIN TERMS AND CON-  
11 DITIONS.—No Federal agency may include in any  
12 certificate, right-of-way, permit, lease, or other au-  
13 thorization issued to an Alaska natural gas trans-  
14 portation project any term or condition that may be  
15 permitted, but is not required, by any applicable law  
16 if the Federal Coordinator determines that the term  
17 or condition would prevent or impair in any signifi-  
18 cant respect the expeditious construction and oper-  
19 ation, or an expansion, of the Alaska natural gas  
20 transportation project.

21 (3) PROHIBITION OF CERTAIN ACTIONS.—Un-  
22 less required by law, no Federal agency shall add to,  
23 amend, or abrogate any certificate, right-of-way, per-  
24 mit, lease, or other authorization issued to an Alas-  
25 ka natural gas transportation project if the Federal

1 Coordinator determines that the action would pre-  
2 vent or impair in any significant respect the expedi-  
3 tious construction and operation, or an expansion, of  
4 the Alaska natural gas transportation project.

5 (4) LIMITATION.—The Federal Coordinator  
6 shall not have authority to—

7 (A) override—

8 (i) the implementation or enforcement  
9 of regulations promulgated by the Commis-  
10 sion under section \_\_\_\_3; or

11 (ii) an order by the Commission to ex-  
12 pand the project under section \_\_\_\_5; or

13 (B) impose any terms, conditions, or re-  
14 quirements in addition to those imposed by the  
15 Commission or any agency with respect to con-  
16 struction and operation, or an expansion of, the  
17 project.

18 (e) STATE COORDINATION.—

19 (1) IN GENERAL.—The Federal Coordinator  
20 and the State shall enter into a joint surveillance  
21 and monitoring agreement similar to the agreement  
22 in effect during construction of the Trans-Alaska  
23 Pipeline, to be approved by the President and the  
24 Governor of the State, for the purpose of monitoring

1 the construction of the Alaska natural gas transpor-  
2 tation project.

3 (2) PRIMARY RESPONSIBILITY.—With respect  
4 to an Alaska natural gas transportation project—

5 (A) the Federal Government shall have pri-  
6 mary surveillance and monitoring responsibility  
7 in areas where the Alaska natural gas transpor-  
8 tation project crosses Federal land or private  
9 land; and

10 (B) the State government shall have pri-  
11 mary surveillance and monitoring responsibility  
12 in areas where the Alaska natural gas transpor-  
13 tation project crosses State land.

14 (f) TRANSFER OF FEDERAL INSPECTOR FUNCTIONS  
15 AND AUTHORITY.—On appointment of the Federal Coor-  
16 dinator by the President, all of the functions and authority  
17 of the Office of Federal Inspector of Construction for the  
18 Alaska Natural Gas Transportation System vested in the  
19 Secretary under section 3012(b) of the Energy Policy Act  
20 of 1992 (15 U.S.C. 719e note; Public Law 102–486), in-  
21 cluding all functions and authority described and enumer-  
22 ated in the Reorganization Plan No. 1 of 1979 (44 Fed.  
23 Reg. 33663), Executive Order No. 12142 of June 21,  
24 1979 (44 Fed. Reg. 36927), and section 5 of the Presi-

1 dent's decision, shall be transferred to the Federal Coordi-  
2 nator.

3 **SEC. \_\_\_\_ 7. JUDICIAL REVIEW.**

4 (a) **EXCLUSIVE JURISDICTION.**—Except for review by  
5 the Supreme Court on writ of certiorari, the United States  
6 Court of Appeals for the District of Columbia Circuit shall  
7 have original and exclusive jurisdiction to determine—

8 (1) the validity of any final order or action (in-  
9 cluding a failure to act) of any Federal agency or of-  
10 ficer under this subtitle;

11 (2) the constitutionality of any provision of this  
12 subtitle, or any decision made or action taken under  
13 this subtitle; or

14 (3) the adequacy of any environmental impact  
15 statement prepared under the National Environ-  
16 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)  
17 with respect to any action under this subtitle.

18 (b) **DEADLINE FOR FILING CLAIM.**—A claim arising  
19 under this subtitle may be brought not later than 60 days  
20 after the date of the decision or action giving rise to the  
21 claim.

22 (c) **EXPEDITED CONSIDERATION.**—The United  
23 States Court of Appeals for the District of Columbia Cir-  
24 cuit shall set any action brought under subsection (a) for  
25 expedited consideration, taking into account the national



1 interest of enhancing national energy security by providing  
2 access to the significant gas reserves in Alaska needed to  
3 meet the anticipated demand for natural gas.

4 (d) AMENDMENT OF THE ALASKA NATURAL GAS  
5 TRANSPORTATION ACT OF 1976.—Section 10(c) of the  
6 Alaska Natural Gas Transportation Act of 1976 (15  
7 U.S.C. 719h) is amended—

8 (1) by striking “(c)(1) A claim” and inserting  
9 the following:

10 “(c) JURISDICTION.—

11 “(1) SPECIAL COURTS.—

12 “(A) IN GENERAL.—A claim”;

13 (2) by striking “Such court shall have” and in-  
14 serting the following:

15 “(B) EXCLUSIVE JURISDICTION.—The  
16 Special Court shall have”;

17 (3) by inserting after paragraph (1) the fol-  
18 lowing:

19 “(2) EXPEDITED CONSIDERATION.—The Spe-  
20 cial Court shall set any action brought under this  
21 section for expedited consideration, taking into ac-  
22 count the national interest described in section 2.”;  
23 and

24 (4) in paragraph (3), by striking “(3) The en-  
25 actment” and inserting the following:

1           “(3) ENVIRONMENTAL IMPACT STATEMENTS.—  
2       The enactment”.

3   **SEC. \_\_\_\_ 8. STATE JURISDICTION OVER IN-STATE DELIVERY**  
4                   **OF NATURAL GAS.**

5       (a) LOCAL DISTRIBUTION.—Any facility receiving  
6 natural gas from an Alaska natural gas transportation  
7 project for delivery to consumers within the State—

8           (1) shall be deemed to be a local distribution fa-  
9       cility within the meaning of section 1(b) of the Nat-  
10      ural Gas Act (15 U.S.C. 717(b)); and

11          (2) shall not be subject to the jurisdiction of the  
12      Commission.

13       (b) ADDITIONAL PIPELINES.—Except as provided in  
14 section \_\_\_\_3(d), nothing in this subtitle shall preclude  
15 or otherwise affect a future natural gas pipeline that may  
16 be constructed to deliver natural gas to Fairbanks, An-  
17 chorage, Matanuska-Susitna Valley, or the Kenai penin-  
18 sula or Valdez or any other site in the State for consump-  
19 tion within or distribution outside the State.

20       (c) RATE COORDINATION.—

21           (1) IN GENERAL.—In accordance with the Nat-  
22      ural Gas Act (15 U.S.C. 717a et seq.), the Commis-  
23      sion shall establish rates for the transportation of  
24      natural gas on any Alaska natural gas transpor-  
25      tation project.

1           (2) CONSULTATION.—In carrying out para-  
2       graph (1), the Commission, in accordance with sec-  
3       tion 17(b) of the Natural Gas Act (15 U.S.C.  
4       717p(b)), shall consult with the State regarding  
5       rates (including rate settlements) applicable to nat-  
6       ural gas transported on and delivered from the Alas-  
7       ka natural gas transportation project for use within  
8       the State.

9   **SEC. \_\_\_\_ 9. STUDY OF ALTERNATIVE MEANS OF CONSTRUC-**  
10                           **TION.**

11       (a) REQUIREMENT OF STUDY.—If no application for  
12       the issuance of a certificate or amended certificate of pub-  
13       lic convenience and necessity authorizing the construction  
14       and operation of an Alaska natural gas transportation  
15       project has been filed with the Commission by the date  
16       that is 18 months after the date of enactment of this Act,  
17       the Secretary shall conduct a study of alternative ap-  
18       proaches to the construction and operation of such an  
19       Alaska natural gas transportation project.

20       (b) SCOPE OF STUDY.—The study under subsection  
21       (a) shall take into consideration the feasibility of—

22           (1) establishing a Federal Government corpora-  
23       tion to construct an Alaska natural gas transpor-  
24       tation project; and

1           (2) securing alternative means of providing  
2       Federal financing and ownership (including alter-  
3       native combinations of Government and private cor-  
4       porate ownership) of the Alaska natural gas trans-  
5       portation project.

6       (c) CONSULTATION.—In conducting the study under  
7       subsection (a), the Secretary shall consult with the Sec-  
8       retary of the Treasury and the Secretary of the Army (act-  
9       ing through the Chief of Engineers).

10       (d) REPORT.—On completion of any study under sub-  
11       section (a), the Secretary shall submit to Congress a re-  
12       port that describes—

13           (1) the results of the study; and

14           (2) any recommendations of the Secretary (in-  
15       cluding proposals for legislation to implement the  
16       recommendations).

17       **SEC. \_\_\_\_10. CLARIFICATION OF ANGTA STATUS AND AU-**  
18                               **THORITIES.**

19       (a) SAVINGS CLAUSE.—Nothing in this subtitle  
20       affects—

21           (1) any decision, certificate, permit, right-of-  
22       way, lease, or other authorization issued under sec-  
23       tion 9 of the Alaska Natural Gas Transportation Act  
24       of 1976 (15 U.S.C. 719g); or

1           (2) any Presidential finding or waiver issued in  
2           accordance with that Act.

3           (b) CLARIFICATION OF AUTHORITY TO AMEND  
4           TERMS AND CONDITIONS TO MEET CURRENT PROJECT  
5           REQUIREMENTS.—Any Federal agency responsible for  
6           granting or issuing any certificate, permit, right-of-way,  
7           lease, or other authorization under section 9 of the Alaska  
8           Natural Gas Transportation Act of 1976 (15 U.S.C.  
9           719g) may add to, amend, or rescind any term or condi-  
10          tion included in the certificate, permit, right-of-way, lease,  
11          or other authorization to meet current project require-  
12          ments (including the physical design, facilities, and tariff  
13          specifications), if the addition, amendment, or rescission—

14                (1) would not compel any change in the basic  
15                nature and general route of the Alaska natural gas  
16                transportation system as designated and described in  
17                section 2 of the President’s decision; or

18                (2) would not otherwise prevent or impair in  
19                any significant respect the expeditious construction  
20                and initial operation of the Alaska natural gas  
21                transportation system.

22           (c) UPDATED ENVIRONMENTAL REVIEWS.—The Sec-  
23           retary shall require the sponsor of the Alaska natural gas  
24           transportation system to submit such updated environ-  
25           mental data, reports, permits, and impact analyses as the

1 Secretary determines are necessary to develop detailed  
2 terms, conditions, and compliance plans required by sec-  
3 tion 5 of the President's decision.

4 **SEC. \_\_\_\_11. SENSE OF CONGRESS CONCERNING USE OF**  
5 **STEEL MANUFACTURED IN NORTH AMERICA**  
6 **NEGOTIATION OF A PROJECT LABOR AGREE-**  
7 **MENT.**

8 It is the sense of Congress that—

9 (1) an Alaska natural gas transportation  
10 project would provide significant economic benefits  
11 to the United States and Canada; and

12 (2) to maximize those benefits, the sponsors of  
13 the Alaska natural gas transportation project should  
14 make every effort to—

15 (A) use steel that is manufactured in  
16 North America; and

17 (B) negotiate a project labor agreement to  
18 expedite construction of the pipeline.

19 **SEC. \_\_\_\_12. SENSE OF CONGRESS AND STUDY CONCERNING**  
20 **PARTICIPATION BY SMALL BUSINESS CON-**  
21 **CERNS.**

22 (a) DEFINITION OF SMALL BUSINESS CONCERN.—  
23 In this section, the term “small business concern” has the  
24 meaning given the term in section 3(a) of the Small Busi-  
25 ness Act (15 U.S.C. 632(a)).

1 (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that—

3 (1) an Alaska natural gas transportation  
4 project would provide significant economic benefits  
5 to the United States and Canada; and

6 (2) to maximize those benefits, the sponsors of  
7 the Alaska natural gas transportation project should  
8 maximize the participation of small business con-  
9 cerns in contracts and subcontracts awarded in car-  
10 rying out the project.

11 (c) STUDY.—

12 (1) IN GENERAL.—The Comptroller General of  
13 the United States shall conduct a study to determine  
14 the extent to which small business concerns partici-  
15 pate in the construction of oil and gas pipelines in  
16 the United States.

17 (2) REPORT.—Not later than 1 year after the  
18 date of enactment of this Act, the Comptroller Gen-  
19 eral shall submit to Congress a report that describes  
20 results of the study under paragraph (1).

21 (3) UPDATES.—The Comptroller General  
22 shall—

23 (A) update the study at least once every 5  
24 years until construction of an Alaska natural  
25 gas transportation project is completed; and

1 (B) on completion of each update, submit  
2 to Congress a report containing the results of  
3 the update.

4 **SEC. \_\_\_\_13. ALASKA PIPELINE CONSTRUCTION TRAINING**  
5 **PROGRAM.**

6 (a) ESTABLISHMENT OF PROGRAM.—Subject to sub-  
7 sections (b) and (c), the Secretary of Labor may make  
8 grants to the Alaska Department of Labor and Workforce  
9 Development—

10 (1) to develop a plan to train, through the  
11 workforce investment system established in the State  
12 under subtitle B of title I of the Workforce Invest-  
13 ment Act of 1998 (29 U.S.C. 2811 et seq.), adult  
14 and dislocated workers, including Alaska Natives, in  
15 urban and rural Alaska in the skills required to con-  
16 struct and operate an Alaska gas pipeline system;  
17 and

18 (2) to implement the plan developed in accord-  
19 ance with paragraph (1).

20 (b) REQUIREMENTS FOR PLANNING GRANTS.—The  
21 Secretary of Labor may make a grant under subsection  
22 (a)(1) only if—

23 (1) the Governor of the State certifies in writ-  
24 ing to the Secretary of Labor that there is a reason-  
25 able expectation that construction of an Alaska gas



1 pipeline will commence by the date that is 3 years  
2 after the date of the certification; and

3 (2) the Secretary of the Interior concurs in  
4 writing to the Secretary of Labor with the certifi-  
5 cation made under paragraph (1).

6 (c) REQUIREMENTS FOR IMPLEMENTATION  
7 GRANTS.—The Secretary of Labor may make a grant  
8 under subsection (a)(2) only if—

9 (1) the Secretary of Labor approves a plan de-  
10 veloped in accordance with subsection (a)(1);

11 (2) the Governor of the State requests the  
12 grant funds and certifies in writing to the Secretary  
13 of Labor that there is a reasonable expectation that  
14 the construction of an Alaska natural gas pipeline  
15 system will commence by the date that is 2 years  
16 after the date of the certification; and

17 (3) the Secretary of the Interior concurs in  
18 writing to the Secretary of Labor with the certifi-  
19 cation made under paragraph (2) after  
20 considering—

21 (A) the status of necessary Federal and  
22 State permits;

23 (B) the availability of financing for the  
24 Alaska natural gas pipeline project; and

25 (C) other relevant factors.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to the Secretary of  
3 Labor to carry out this section \$20,000,000.

4 **SEC. \_\_\_\_14. SENSE OF CONGRESS CONCERNING NATURAL**  
5 **GAS DEMAND.**

6 It is the sense of Congress that—

7 (1) North American demand for natural gas  
8 will increase dramatically over the course of the next  
9 several decades;

10 (2) both the Alaska Natural Gas Pipeline and  
11 the McKenzie Delta Natural Gas project in Canada  
12 will be necessary to help meet the increased demand  
13 for natural gas in North America;

14 (3) Federal and State officials should work to-  
15 gether with officials in Canada to ensure both  
16 projects can move forward in a mutually beneficial  
17 fashion;

18 (4) Federal and State officials should acknowl-  
19 edge that the smaller scope, fewer permitting re-  
20 quirements, and lower cost of the McKenzie Delta  
21 project means it will most likely be completed before  
22 the Alaska Natural Gas Pipeline;

23 (5) natural gas production in the 48 contiguous  
24 States and Canada will not be able to meet all do-  
25 mestic demand in the coming decades; and

1           (6) as a result, natural gas delivered from Alas-  
2       kan North Slope will not displace or reduce the com-  
3       mercial viability of Canadian natural gas produced  
4       from the McKenzie Delta or production from the 48  
5       contiguous States.

6   **SEC. \_\_\_\_15. SENSE OF CONGRESS CONCERNING ALASKAN**  
7                   **OWNERSHIP.**

8       It is the sense of Congress that—

9           (1) as coowners of the vast natural gas reserves  
10       that lie under State land in Alaska, Alaska Native  
11       Regional Corporations, companies owned and oper-  
12       ated by Alaskans, and individual Alaskans should  
13       have the opportunity to own shares of the Alaska  
14       natural gas pipeline in a way that promotes eco-  
15       nomic development for the State; and

16          (2) to facilitate economic development in the  
17       State, all project sponsors should negotiate in good  
18       faith with any willing Alaskan person that desires to  
19       be involved in the project.